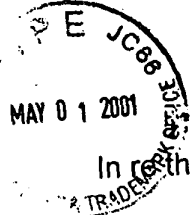


DEF/DEF/30  
28



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

IMMER et al.

Group Art Unit: 1644

Serial Number: 09/027,777

Examiner: F. Pierre Vander Vegt

Filed: February 23, 1998

Atty. Docket No. P108099-00001

For: PROCESS FOR PREPARING CARDIODILATIN FRAGMENTS; HIGHLY PURIFIED CARDIODILATIN FRAGMENTS AND INTERMEDIATE PRODUCTS FOR THE PREPARATION OF SAME

REQUEST FOR REFUND

Honorable Commissioner  
Washington, D.C. 20006

Date: May 1, 2001

Sir:

The undersigned respectfully request a refund of the fee paid in the subject application on February 26, 2001.

The fee of Seven Hundred Ten Dollars (\$710.00) paid on February 26, 2001, is that for a Request for Continued Examination that was not accepted by the Patent and Trademark Office.

Repln. Ref: 06/05/2001 GDUCKETT 09027777  
DAB:012300 Name/Number:09027777  
FC: 704 \$710.00 CR  
requested that the fee paid in the amount of Seven Hundred Ten Dollars, be credited to Deposit Account 01-2300.

Respectfully submitted,  
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

*Robert K. Carpenter*

Robert K. Carpenter  
Registration No. 34,794

Adjustment date: 06/05/2001 GDUCKETT  
03/01/2001 GTEFFERR 00000024 09027777  
01 FC:179 -710.00 DP

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 600  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

RKC:tdd

OFFICE OF FINANCE  
REFUND BRANCH  
2001 MAY 10 AM 9:30  
US PATENT & TRADEMARK  
OFFICE

Sale
Edit
Payment
Void-Adjust
View
Utilities
Window
Help



Sale

Mailroom Dt:
Received Dt:
Type:
Name/Number:
Attorney Docket No.:

022601
022601
1
09027777
P1614-8019

Fee Entry

Fee Code:

Fee Amount:

Quantity:

Continue Print:

[
N
]

| Fee Code | St | Fee Amount | Qty | Partial | Extended Amount | Dep Act Amount | Other Amount | Print |
|----------|----|------------|-----|---------|-----------------|----------------|--------------|-------|
| 179      | R  | 710.00     | 1   | F       | 710.00          |                | 710.00       | B     |

TOTAL :
\$710.00
\$710.00

Balance Owed:

Excess Payment Balance:

06/05/2001

GDUCKETT

24

**Stevens, Margaret**

---

To: LIE 1644  
Subject: Serial No. 09/027,777

Refund \$710.00 code 179. Fee paid twice. Please return a copy of the RAM screen to me after completion,

Thanks

***Margaret W. Stevens***  
***Supervisory Legal Instrument Examiner***  
***TC1600/2900***  
***703-305-3608***



United States Commissioner for Patents  
Patent and Trademark Office

RECEIVED  
Washington, D.C. 20531  
www.uspto.gov

09/027777

APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

MAY 03 2001

TECH CENTER 1600/2900

RECEIVED

MAY 30 2001

OFFICE OF PETITIONS

RECEIVED

MAY 31 2001

DATE MAILED: TECH CENTER 1600/2900

**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**



The request for continued examination (RCE) under 37 CFR 1.114 filed on 2/26/01 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- ☒ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☒ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the ~~final~~ Office action or notice of allowance continues to run from the mailing date of that action or notice.

**A copy of this notice MUST be returned with any reply.**

Direct the reply and any questions about this notice to:

David Smallwood, Examining Group 1640  
(703) 306-4085